

FACT SHEET

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Background on How CDCR Arrived at Present Media Policy

- Prior to 1971, the Department permitted media access to inmates including the opportunity to interview specifically named inmates. As a result, certain inmates became the subject of extensive media coverage and became public figures.
- A San Quentin inmate, George Jackson, used the media to advocate an agenda of non-cooperation as a means of changing the correctional system. In 1971, during an escape attempt, three correctional officers and two inmates, including Jackson, were killed. The Department believed the extensive media coverage of this inmate was a contributing factor to the deaths.
- CDCR promulgated regulations that limited face-to-face access to inmates. These regulations were upheld by the Supreme Court in *Pell v. Procunier* 417 U.S. 817, 94 S. Ct. 2800 (1974). The court held that the Constitution does not require government to accord media special access to information not shared by members of the public.
- Between 1971 and 1995, media was allowed one-on-one interviews with specific inmates. The last decade saw a rise in talk shows and tabloid journalism who were more interested in interviewing notorious inmates about their crimes and producing sensational stories to increase their ratings and make money, hurting victims of crime in the process. The corrections department was inundated with these kinds of requests and in 1995, the law returned to what it was in 1971, consistent with predominant public opinion that inmate rights should be no greater than those guaranteed by the U.S. Constitution.
- Despite the court dictate, CDCR provides media **substantially more** access to prisons than the public. Media may tour prisons at any time, with advance notice, and are free to interview inmates on a random basis.
- CDCR endeavors to accommodate media requests within available resources consistent with the safe and secure operations of its institutions and California law.